INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS
ADVISORY OPINIONS AND ORDERS

CASE CONCERNING LEGALITY OF USE OF FORCE

(YUGOSLAVIA v. CANADA)

ORDER OF 21 FEBRUARY 2001

2001

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

AFFAIRE RELATIVE À LA LICÉITÉ DE L'EMPLOI DE LA FORCE

(YOUGOSLAVIE c. CANADA)

ORDONNANCE DU 21 FÉVRIER 2001

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YEAR 2001

21 February 2001

CASE CONCERNING LEGALITY OF USE OF FORCE

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ORDER

Present: *Vice-President* SHI, *Acting President*; *President* GUILLAUME; *Judges* ODA, BEDJAOUI, RANJEVA, HERCZEGH, FLEISCHHAUER, KOROMA, VERESHCHETIN, HIGGINS, PARRA-ARANGUREN, KOOIJMANS, REZEK, AL-KHASAWNEH, BUERGENTHAL; *Registrar* COUVREUR.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Articles 44 and 79 of the Rules of Court,

Having regard to the Order of 30 June 1999, whereby the Court fixed 5 January 2000 and 5 July 2000 as the time-limits for the filing, respectively, of a Memorial of the Federal Republic of Yugoslavia and a Counter-Memorial of Canada,

Having regard to the preliminary objections to jurisdiction and admissibility filed by Canada on 5 July 2000,

Having regard to the Order of 8 September 2000, whereby the Vice-President of the Court, Acting President, fixed 5 April 2001 as the time-limit within which the Federal Republic of Yugoslavia might present a

COUR INTERNATIONALE DE JUSTICE

ANNEE 2001

21 février 2001

MEMOIRE RELATIVE A LA LICEITE DE L'EMPLOI DE LA FORCE

(YOUGOSLAVIE c. CANADA)

ORDONNANCE

Présents : M. SHI, vice-président, *faisant fonction de président en l'affaire* ; M. GUILLAUME, *président de la Cour* ; MM. ODIO BENITO, RANJEVA, HERCZEGH, FLEISCHHAUER, KOROMA, VERESHCHETIN ; Mme HIGGINS, MM. PARRA-ARANGUREN, KOOIJMANS, REZEK, AL-KHASAWNEH, BUERGENTHAL, *juges* ; M. COUVREUR, *greffier*.

La Cour internationale de Justice,

Ainsi composée,

Après délibéré en chambre du conseil,

Vu l'article 48 du Statut de la Cour et les articles 44 et 79 de son Règlement,

Vu l'ordonnance du 30 juin 1999, par laquelle la Cour a fixé au 5 janvier 2000 et au 5 juillet 2000 les dates d'expiration des délais pour le dépôt, respectivement, d'un mémoire de la République fédérale de Yougoslavie et d'un contre-mémoire du Canada,

Vu les exceptions préliminaires d'incompétence et d'irrecevabilité déposées par le Canada le 5 juillet 2000,

Vu l'ordonnance du 8 septembre 2000, par laquelle le vice-président de la Cour, faisant fonction de président en l'affaire, a fixé au 5 avril 2001 la date d'expiration du délai dans lequel la République fédérale de Yougo-

written statement of its observations and submissions on the preliminary objections made by Canada;

Whereas, by letter dated 18 January 2001, received in the Registry on 19 January 2001 by facsimile, the Minister for Foreign Affairs of the Federal Republic of Yugoslavia referred inter alia to recent diplomatic initiatives and requested the Court, for reasons stated in that letter, to grant a stay of the proceedings or [illegible] to extend the time-limit for the submission of observations of Yugoslavia, for a period of twelve months; and whereas, on receipt of that letter, the Registrar transmitted a copy thereof to the Agent of Canada;

Whereas, by letter dated 9 February 2001, received in the Registry on the same day by facsimile, the Agent of Canada informed the Court that his Government was not opposed to a stay of proceedings or, if a stay was not possible, to an extension of the time-limit for the filing of the observations and submissions of Yugoslavia on the preliminary objections of Canada;

Taking account of the agreement of the Parties and of the circumstances of the case;

Fixes [illegible] April 2002 the time-limit within which the Federal Republic of Yugoslavia may present a written statement of its observations and submissions on the preliminary objections made by Canada; and

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this twenty-first day of February two thousand and one, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Federal Republic of Yugoslavia and the Government of Canada, respectively.

(Signed) Shi Jiuyong,
Vice-President.

(Signed) Philippe Couvreur,
Registrar.

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